Case:09-10784-swd Doc #:26 Filed: 01/27/2010 Page 1 of 4

Form B18 (Official Form 18)(07/08)

United States Bankruptcy Court Western District of Michigan One Division Ave., N.

Room 200 Grand Rapids, MI 49503

**IN RE:** Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Evelyn M. Torres 1756 Mapleview SE Kentwood, MI 49508 SSN: xxx-xx-2816

Dated: <u>January 25, 2010</u>

Case Number 09-10784-swd

Chapter 7

**Honorable Scott W. Dales** 

Debtor(s)

### **DISCHARGE OF DEBTOR**

It appearing that the debtor is entitled to a discharge, **IT IS ORDERED:** 

The debtor is granted a discharge under section 727 of title 11, United States Code, (the Bankruptcy Code).

BY THE COURT

Scott W. Dales

United States Bankruptcy Judge

SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.

FORM B18 continued (07/08)

# EXPLANATION OF BANKRUPTCY DISCHARGE IN A CHAPTER 7 CASE

This court order grants a discharge to the person named as the debtor. It is not a dismissal of the case and it does not determine how much money, if any, the trustee will pay to creditors.

#### **Collection of Discharged Debts Prohibited**

The discharge prohibits any attempt to collect from the debtor a debt that has been discharged. For example, a creditor is not permitted to contact a debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach wages or other property, or to take any other action to collect a discharged debt from the debtor. [In a case involving community property: There are also special rules that protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.] A creditor who violates this order can be required to pay damages and attorney's fees to the debtor.

However, a creditor may have the right to enforce a valid lien, such as a mortgage or security interest, against the debtor's property after the bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case. Also, a debtor may voluntarily pay any debt that has been discharged. **Debts That are Discharged** 

The chapter 7 discharge order eliminates a debtor's legal obligation to pay a debt that is discharged. Most, but not all, types of debts are discharged if the debt existed on the date the bankruptcy case was filed. (If this case was begun under a different chapter of the Bankruptcy Code and converted to chapter 7, the discharge applies to debts owed when the bankruptcy case was converted.)

## **Debts that are Not Discharged.**

Some of the common types of debts which are <u>not</u> discharged in a chapter 7 bankruptcy case are:

- a. Debts for most taxes;
- b. Debts incurred to pay nondischargeable taxes (applies to cases filed on or after 10/17/2005);
- c. Debts that are domestic support obligations;
- d. Debts for most student loans;
- e. Debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- f. Debts for personal injuries or death caused by the debtor's operation of a motor vehicle, vessel, or aircraft while intoxicated:
- g. Some debts which were not properly listed by the debtor;
- h. Debts that the bankruptcy court specifically has decided or will decide in this bankruptcy case are not discharged;
- i. Debts for which the debtor has given up the discharge protections by signing a reaffirmation agreement in compliance with the Bankruptcy Code requirements for reaffirmation of debts.
- j. Debts owed to certain pension, profit sharing, stock bonus, other retirement plans, or to the Thrift Savings Plan for federal employees for certain types of loans from these plans (applies to cases filed on or after 10/17/2005).

This information is only a general summary of the bankruptcy discharge. There are exceptions to these general rules. Because the law is complicated, you may want to consult an attorney to determine the exact effect of the discharge in this case.

## CERTIFICATE OF NOTICE

```
+Jill M. Gies, U.S. Dep
Detroit, MI 48226-3263
                                                                                                                                            Suite 700.
                      +Fifth Third Bank, P.O. Box 829009, Dallas, Tx 75382-9
+HUNTINGTON NATIONAL BANK, C/O WELTMAN, WEINBERG & REIS,
                                                                                          Dallas, Tx 75382-9009
cr
                      +HUNTINGTON NATIONAL BANK,
                                                                                                                            2155 BUTTERFIELD DR STE 200-S,
cr
                         TROY, MI 48084-3463
                      +Account Receivables Solutions, Inc., 301 N. Clinton Ave., Sa:
+Beatrice Marrero, PO Box 1072, Corozal, PR 00783-1072
Bk Of Amer, 4060 Ogletown/stanton Rd, Newark, DE 19713
+Bk Of Amer, 4161 Piedmont Parkway, Greensboro, NC 27410-8119
5574726
                                                                                                                              Saint Johns, MI 48879-2513
5574727
5574729
5574728
                     Blatt, Hasenmiller, Leibsker & Moore LLC, 125 South Wacker Dr. Ste. 400, Chicago, IL 60606-4440

+City Of Grand Rapids Treasurer, 300 Monroe Ave. NW, Grand Rapids, MI 49503-2206
+City Of Grand Rapids Water & Sewer, 1101 Monroe Ave. NW, Grand Rapids, MI 49503-1099
Consumers Energy, Lansing, MI 48937-0001

+David Wolfe, Weltman, Weinberg & Reis Co., 2155 Butterfield Dr. Ste. 200-S,
5574730
5574733
5574734
5574735
5574736
                    Troy, MI 48084-3463
++FIFTH THIRD BANK, MD# ROPS
GRAND RAPIDS MI 49546-6253
5574725
                                                         MD# ROPS05 BANKRUPTCY DEPT, 1850 EAST PARIS SE,
                      (address filed with court: 5th 3rd Bk, Fifth Third Center, C +Hntingtn Ntl, 7450 Huntington Pk Dr, Columbus, OH 43235-5617 +Hntingtn Ntl, 7450 Huntington Prk Dr H, Columbus, OH 43235-5 +Huntingt Mtg, Po Box 1558, Columbus, OH 43216-1558
                                                                                                                                 Cincinnati, OH 45263)
5574738
                                                                                                                  ОН 43235-5617
5574739
5574740
                     +Kent County Treasurer, PO Box Y, Grand Rapids, MI 49501-4925
+Mecosta County Treasurer, 400 Elm St., Big Rapids, MI 49307-1889
+Pater Law PC, 714 Michigan Ave. Ste. B, Holland, MI 49423-6903
+South Christian High School, 160 68th St SW, Grand Rapids, MI 49548-7198
+Target N.b., Po Box 673, Minneapolis, MN 55440-0673
+Tracy L. Miles & Joshua M. Holton, 918 Loudon, Big Rapids, MI 49307-1232
5574741
5574742
5574743
5574744
5574745
5574746
The following entities were noticed by electronic transmission on Jan 25, 2010.
                      +E-mail/Text: ustpregion09.gr.ecf@usdoj.gov Daniel J. Casamatta,
Assistant U.S. Trustee, Office of the U.S. Trustee, The Ledyard Building, 2nd Floor,
125 Ottawa NW, Suite 200R, Grand Rapids, MI 49503-2837
ust.
                      +E-mail/Text: ustpregion09.gr.ecf@usdoj.gov
Office of the United States Trustee, Michigan/Ohio Region 9,
125 Ottawa NW, Suite 200R, Grand Rapids, MI 49503-2837
ust
                                                                                                                                           Daniel M. McDermott,
                                                                                                                                       The Ledyard Building, 2nd Floor,
                      +E-mail/Text: ustpregion09.gr.ecf@usdoj.gov
                                                                                                                                           David W. Asbach,
ust
                         Office of the US Trustee,
                                                                       The Ledyard Building, 2nd Floor,
                                                                                                                                   125 Ottawa NW, Suite 200R,
                          Grand Rapids, MI 49503-2837
                      +E-mail/Text: ustpregion09.gr.ecf@usdoj.gov
                                                                                                                                           Dean E. Rietberg,
ust
                         Trial Attorney, Office of the US Trustee, The Ledyard Building, 2nd Floor, 125 Ottawa NW, Suite 200R, Grand Rapids, MI 49503-2837
                      +E-mail/Text: ustpregion09.gr.ecf@usdoj.gov
Office of the United States Trustee, Michigan/Ohio Region 9,
                                                                                                                                           Habbo G. Fokkena,
ust
                                                                                                                                       The Ledyard Building, 2nd Floor,
                         125 Ottawa NW, Suite 200R, Grand Rapids, MI 49503-2837
ust
                      +E-mail/Text: ustpregion09.gr.ecf@usdoj.gov
                                                                                                                                           Matthew T. Cronin,
                         Office of the US Trustee, The Ledyard Building, 2nd Floor, 125 Ottawa NW, Suite 200R, Grand Rapids, MI 49503-2837
                      He-mail/Text: ustpregion09.gr.ecf@usdoj.gov
Trial Attorney, Office of the US Trustee, The Ledyard
125 Ottawa NW, Suite 200R, Grand Rapids, MI 49503-2837
HE-mail/Text: ustpregion09.gr.ecf@usdoj.gov
                                                                                                                                          Michael V. Maggio,
ust
                                                                                                    The Ledyard Building, 2nd Floor,
                                                                                                                                          Michelle M. Wilson,
ust
                      Trial Attorney, Office of the US Trustee, The Ledyard 125 Ottawa NW, Suite 200R, Grand Rapids, MI 49503-2837 +E-mail/Text: ustpregion09.gr.ecf@usdoj.gov
                                                                                                     The Ledyard Building, 2nd Floor,
ust
                                                                                                                                           Office of the U.S. Trustee,
                      The Ledyard Building, 2nd Floor, 125 Ottawa NW, Suite 200R, +EDI: CHASE.COM Jan 25 2010 18:08:00 Chase, Po Box 15298,
                                                                                                                                      Grand Rapids, MI 49503-2837
5574731
                                                                                                                                      Wilmington, DE 19850-5298
                      +E-mail/Text: jschneid@ci.big-rapids.mi.us
                                                                                                                                         City Of Big Rapids,
5574732
                      226 N. Michigan Ave., Big Rapids, MI 49307-1489
+EDI: DTEE.COM Jan 25 2010 18:08:00 DTE Energy,
                                                                                      DTE Energy, 3200 Hobson St., Detroit, MI 1011
Visdsnb, 9111 Duke Blvd, Mason, OH 45040-8999
TOTAL: 13
5574737
                                                                                                                                               Detroit, MI 48201-2927
5574747
                      +EDI: TSYS2.COM Jan 25 2010 18:08:00
```

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

TOTAL: 0

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 27, 2010 Signa

Joseph Spertjens